

DECLARATORY  
Improvement Res. No. 1293-1970  
XXXXXXXXXXXX

For the condemnation of all rights and easements of ingress and egress to and from the west side of Baer Field Expressway from the south property line of the Lower Huntington Road to a point 259.8 feet south of the south line of Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.

Resolution Adopted: June 24, 1970

Confirmed: *July 23, 1970*

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:  
AUG 27 1970

1293

## DECLARATORY RESOLUTION NO. 1293-1970

For the condemnation of all rights and easements of ingress and egress to and from the west side of Baer Field Expressway from the south property line of the Lower Huntington Road to a point 259.8 feet south of the south line of Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.

ADOPTED:

June 24, 1970

ADVERTISE NOTICE TO PROPERTY OWNERS: June 29 &amp; July 6, 1970

NOTICES MAILED:

July 10, 1970

HEARING ON CONFIRMATION: Thurs., July 23, 1970 3:30 p. m.

CONFIRMED: Thursday, July 23, 1970

ASSESSMENT ROLL ORDERED: July 23, 1970.

ASSESSMENT ROLL APPROVED: Aug. 11, 1970

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs., 8/27/70 3:30

NOTICE SERVED:

Aug. 14, 1970

ASSESSMENT ROLL CONFIRMED Aug. 27, 1970

For the condemnation of all rights and easements of ingress and egress to and from the west side of Baer Field Expressway from the south property line of the Lower Huntington Road to a point 259.8 feet south of the south line of Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn all rights and easements of ingress and egress to and from the west side of Baer Field Expressway from the south property line of Lower Huntington Road to a point 259.8 feet south of the south line of Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.

The cost of said condemnation of all rights and easements of ingress and egress shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such condemnation of all rights and easements of ingress and egress is described as follows: Lots 184 to 214 inclusive, all in Avalon Place, Section 2, as recorded in Plat Book 24, pages 115 and 116; Lots 400 to 404 inclusive in Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23; also, space south of Avalon Place, Section 5 and west of Baer Field Expressway. Said additions and space are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

All streets, lots and lands affected by the above described condemnation of all rights and easements of ingress and egress are situated in the southeast quarter of Section Twenty-seven, Township 30 north, Range 12 east and the northeast quarter of Section Thirty-four, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 24 DAY OF June 1970.

Attest: Kenneth McGraw  
Secretary, Board of Public Works

Pres. A. K. Kraw  
Robert W. Dahman  
James  
Board of Public Works





46

40  
R  
D

5

BAER

NIGHTSWOOD 171

DRIVE

KINGSWAY

THRUWAY

FIELD

BAER

~~N 18°-09'E - 2217.6'~~  
RICH RESERVE

N.W. LINE LOT 5 RICH RES.

N 5°-2  
S 86°-55' W

107 34.7 32

ENGINEERING  
DEPT. OF STREETS

NOTED

DATE June 19, 1970

☒ F.S.E.  
☐ R.V.D.  
☐ G.F.G.

TO: Board of Public Works

SUBJECT: Board Order No. 156-1970

Date \_\_\_\_\_

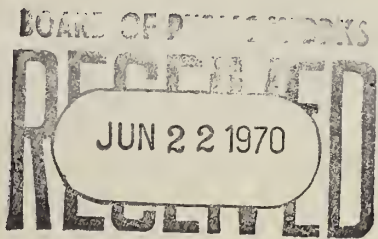
The last of four Declaratory Resolutions providing for the condemnation of rights of ingress and egress to the Baer Field Expressway is attached.

This resolution includes lots and space on the west side of the expressway, south of Lower Huntington Road, in Avalon Place Addition.

A property ownership list is also attached.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



OFFICE OF  
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

NOTED

☒ F.S.E.  
☒ R.W.D.  
☐ G.F.G.

B.O. 156-'70

55-230-3  
Date July 23, 1970

Date

To City Engineer

Subject DECLARATORY RES. 1293-1970 - BAER FIELD EXPRESSWAY

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman  
Robert W. Dahman  
George F. Gable  
BOARD OF PUBLIC WORKS

ms

enc. Res. & P.O. List

Signed

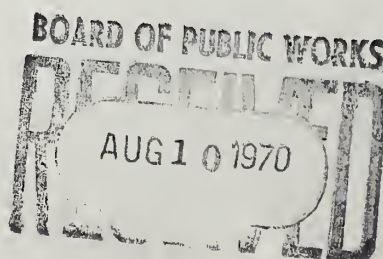
Reply:

August 7, 1970

Assessment Roll of Benefits and Damages completed and attached.

*Donald E. Bodeker*  
Donald E. Bodeker  
Office Manager

DEB:lc  
attachs.



Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

# City of Fort Wayne

July 13, 1970

CITY ENGINEERING DEPT.  
425 S. CALHOUN STREET  
FORT WAYNE, IND. 46802

TO ALL OWNERS OF PROPERTY ABUTTING BAER FIELD EXPRESSWAY:

Subject: Condemnation - Ingress and Egress Rights - Baer Field Expressway -  
Resolution Nos. 1290, 1291, 1292 and 1293

Dear Property Owner:

You have recently received a notice for the above and we wish to take this opportunity to explain its purpose. The City of Fort Wayne is condemning the access rights and easements for ingress and egress to the right of way line for the Baer Field Expressway from all abutting property owners in the abutting subdivisions.

The first public hearing for Declaratory Resolutions Nos. 1290, 1291 and 1292 will be held at 3:30 P.M., July 16, 1970 in the Board of Public Works office. Declaratory Resolution No. 1293 is scheduled for a public hearing at 3:30 P.M., July 23, 1970 in the Board of Public Works office.

The purpose of these condemnation resolutions is to eliminate any future access from your property to the Baer Field Expressway. This is in compliance with the Federal Bureau of Roads and the State Highway Department requirements and is not a condemnation of additional property. These resolutions are a follow up on the existing covenants attached to the said subdivisions. These covenants are restrictive covenants for the subdivisions and have already included denial of the rights of ingress and egress to the Baer Field Expressway. However, the covenants are subject to revision after a period of twenty five (25) years from the date of recording of the subdivision and its covenants. Therefore, this condemnation of access rights is considered a mere formality to satisfy the requirements of the Federal Bureau of Roads and the State Highway Department.

All abutting property owners to the Baer Field Expressway will receive notices for two different public hearings. The first has been mailed and the second will be hand delivered.

If you have additional questions concerning this procedure, please feel free to call Kenneth N. Traylor, Street Engineer, 743-0178 Ext. 267 or Ronald Bonar, Acting City Engineer, 743-0178 Ext. 277.

BOARD OF PUBLIC WORKS

James R. Gurnea  
Robert W. Dahman  
James





NOTICE TO PROPERTY OWNER

Office Board of Public Works

City Hall

Fort Wayne, Indiana.....July 10, 1970.....

1293

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No.....1293-1970..... providing for the ~~Condemnation of all rights and easement of ingress and egress to and from the west side of Baer Field Expressway from the south property line of the L. Huntington Road to a point 259.8' south of the south line of Avalon Place, Sec. 3, as recorded in Plat Book 27, pages 22 & 23.~~

The Board has fixed ~~Thursday, July 23, 1970 at 3:30 pm in Conference Room 102~~ a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

Avalon Place Sec. 2 and 5

Space

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

# Department of Public Works

Office of the Board: Room No. 101, City Hall

Fort Wayne, Indiana., Aug. 14.....1970...

Comer, Marion A. & Childra.....  
7807 Knightswood Dr.  
Fort Wayne, Ind.

City:

Notice is hereby given you that an assessment of benefits, or award of damages, on account  
the condemnation of all rights and easements of ingress and egress to and from  
the west side of Baer Field Expressway from the south property line of the  
Lower Huntington Road to a point 259.8 feet south of the south line of  
Avalon Place, Section 5.

has been made against property, situated in the City of Fort Wayne, in Allen County, State of  
Indiana, recorded as being owned by you, known and described as follows, which assessment of  
benefits is set opposite said description:

	BENEFITS	DAMAGES
Lot 212 exc. N. 20' Avalon Place Add. Sec. 2	\$1.00	\$1.00
" 213 N. 10' " " " " "	1.00	1.00

All in pursuance to Declaratory Resolution No. 1293-1970., adopted by the Board of Public  
Works of said City, on the 24.....day of.....June....., 19...70, authorized by the provisions  
of an act of the General Assembly of the State of Indiana, approved March 6th, 1905. Entitled "An  
Act Concerning Municipal Corporations," and under all acts amendatory thereto and supplemental  
thereof.

The Board of Public Works will meet, in its office, at.....3:30.....o'clock P. M., on the  
27.....day of.....August....., 19....70 for the purpose of hearing and  
considering any remonstrance which you may desire to present in regard to the amount of your  
assessment of benefits or award of damages, as aforesaid.

By Order of

BOARD OF PUBLIC WORKS.

KENNETH McGRAW  
Clerk

7807 Knightwood 1293  
House Has "Sold" Sign  
In front and where  
see copy of

NOTICE

OF ASSESSMENT OF BENEFITS  
OR AWARD OF DAMAGES

Against ..... Comer, Marion A. & Childra .....  
..... 7807 Knightwood Dr. ....  
..... Fort Wayne, Ind. ....  
Account .....  
..... see inside for description ...

Served on Comer, Marion A.  
J. Childra  
by reading and leaving a copy at

No. 7807 Knightwood Dr. Street  
on the ..... day of Aug, 1920

Served by Geo. Pring



Board of Public Works, City of Ft. Wayne  
(Governmental Unit)To NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

39

Tail number of lines

5

Total number of lines in notice

45

## COMPUTATION OF CHARGES

45 lines, 288 columns wide equals 288 equivalent lines at 288 cents per line\$12.96

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$12.96

## DATA FOR COMPUTING COST

Width of single column 11 emsSize of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 8, 19 70Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is ClerkNEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 2, the dates of publication being as follows:June 29, 1970July 6, 1970Subscribed and sworn to before me this 8th day of July 19 70Edith Stapleton  
Notary PublicMy commission expires March 8, 1974

NOTICE TO PROPERTY OWNERS  
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 24th day of June, 1970 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION  
NO. 1293-1970

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn all rights and easements of ingress and egress to and from the west side of Boer Field Expressway from the south property line of Lower Huntington Road to a point 259.8 feet south of the south line of Avalon Place, Section 5, as recorded in Plat Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.

The cost of said condemnation of all rights and easements of ingress and egress shall be assessed against the property beneficially affected thereby.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

The Board of Public Works has fixed Thursday, the 23rd day of July, 1970 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

FRED S. EHRMAN,  
ROBERT W. DAHMAN,  
GEO. F. GABLE,  
BOARD OF PUBLIC WORKS.  
ATTEST: Kenneth McGraw, Clerk.  
6-29-7-6.



Claim No. .... Warrant No. ....

IN FAVOR OF

\$.....

On Account of Appropriation for

Appropriation No. ....

Allowed....., 19.....

In the sum of \$.....

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.  
That it is apparently } Correct  
                                      } Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Board of Public Works, City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

JUL 10 1970

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines  
Head number of lines  
Body number of lines  
Tail number of lines  
Total number of lines in notice

COMPUTATION OF CHARGES

45 lines, columns wide equals equivalent lines at .2884 cents per line  
Additional charge for notices containing rule or tabular work (50 per cent of above amount)  
Charge for extra proofs of publication (50 cents for each proof in excess of two)  
TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING COST

Width of single column 11 ems  
Size of type 5 1/2 point  
Number of insertions 2  
Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 8, 1970

Arvilla De Wald  
CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

June 29, 1970

July 6, 1970

Subscribed and sworn to before me this 8th day of July 19 70  
Edith Stapleton  
Notary Public

My commission expires March 8, 1974

Legal Notices  
NOTICE TO PROPERTY OWNERS  
Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 24th day of June, 1970 the said Board deeming it necessary to make certain improvements adopted the following:  
DECLARATORY RESOLUTION  
NO. 1293-1970  
Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to condemn oil rights and easements of ingress and egress to and from the west side of Boer Field Expressway from the south property line of Lower Huntington Road to a point 259.8 feet south of the south line of Avolon Place, Section 5, as recorded in Plot Book 27, pages 22 and 23, in the Recorder's Office, Allen County, Indiana.  
The cost of said condemnation of oil rights and easements of ingress and egress shall be assessed against the property beneficially affected thereby.  
All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations," as approved March 6, 1905 and the provisions of said acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.  
The Board of Public Works has fixed Thursday, the 23rd day of July, 1970 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.  
FRED S. EHRLMAN,  
ROBERT W. DAHMAN,  
GEO. F. GARLE,  
ATTEST: BOARD OF PUBLIC WORKS.  
6-29-7-6. Kenneth McGraw, Clerk.

Claim No. .... Warrant No. ....

IN FAVOR OF

\$ .....

On Account of Appropriation for

Appropriation No. ....

Allowed ....., 19...

In the sum of \$ .....

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.  
That it is apparently } Correct  
                                  } Incorrect

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.



Improvement Resolution No. **1293** -70 For THE CONDEMNATION OF ALL RIGHTS AND EASEMENTS OF INGRESS AND

EGRESS TO AND FROM THE WEST SIDE OF BAER FIELD EXPRESS WAY, FROM THE SOUTH PROPERTY LINE OF THE LOWER HUNTINGTON ROAD TO A  
 POINT 259.8 FEET SOUTH OF THE SOUTH LINE OF AVALON PLACE, SECTION 5 AS RECORDED IN PLAT BOOK 27 PAGES 22 & 23.

38	OWNER'S NAME	ADDRESS	NUMBER OF			DESCRIPTION
			LOT	BLOCK	O. L.	
1	DRESSEL, HERBERT J + HELEN P	1205 Laurel Ave. Longwood Rd	9	184		AVALON PLACE SEC 2
2	KURODE, MARGUERITE C	7227 Knig: Lawwood	0	185		
3	KIMMEL, GUY + DOLAN + ROSE E	7233 " "	"	186		
4	SCOTT, PIERCE + GRACE E	7315 " "	"	187		
5	BURKOWSKI, JACQUELINE A	7319 " "	"	188		
6	WAIKEL, JACK LEE + GEORGIA M	7325 " "	"	189		
7	PARNIN, CARL D + PATRICIA A	7331 " "	"	190		
8	MILLER, ROBIN LYNN + KAREN S	7405 " "	"	191		
9	MAP ATT, KEITH	7411 " "	"	192		
10	MAHONEY, ROBERT D + CAROL L	7419 " "	"	193		
11	AVENBRUCK, DONALD A + ROSEMARY ANN	7425 " "	"	194		
12	BAY, DOUGLAS H	7431 " "	"	195		
13	FAGEN, FLOYD A + ELLEN K	7505 " "	"	196		
14	HUNTINE, JAMES M + THERESA A	7511 " "	"	197		
15	SELIGMAN, DAVID S + JUDITH A	7517 " "	"	198		
16	LECK R V C + JACQUELINE	7523 " "	"	199		
17	CUMMINGS, CARL RICHARD + PATRICIA L	7529 " "	"	200		
18	" + MARION E + ERIC R	7603 " "	"	201		
19	CORBELL, THEODORE WAYNE + PATRICIA ANN	7609 " "	"	202		
20	PERLEY, ALEXANDER N II + JUDITH E	7615 " "	"	203		
21	WATSON, JAMES I. JR. + BARBARA L	761 " "	"	204		
22	GATLER, RICHARD L + BERNICE E	7627 " "	"	205		
23	RUEHL, THOMAS N + CLAUDIA	7701 " "	"	206		
24	WARDING, DONALD JOHN + JOSEPHINE C.	7707 " "	"	207 Exc. S. 15'		AVALON PLACE SEC 5
25	O'NEILL, DENNIS MICHAEL + ANN M.	7711 " "	"	207 S. 15'		
26	" " " "	" " "	"	208 Exc. S. 30'		
27	DAGER, RICHARD A + JANICE	7719 " "	"	208 S. 30'		
28	" " " "	" " "	"	209 Exc. S. 42'		
29	FEDERAL NATIONAL MORTGAGE AGEN.	50 Dept of Housing + Urban Development, Washington DC 20402	"	210 S. 42'		
30	" " " "	" " "	"	210 N. 18'		
31	LEBRATO HOMESITES INC	7708 Bluffton Rd	7	211 Exc. N. 18'		
32	KESINGER, ERNEST L + BEVERLY J.	7801 Knig: Lawwood	4	211		
33	" " " "	" " "	"	212 N. 20'		
34	COOPER, MARION A + CHLORA	7807 " "	4	212 Exc. N. 20'		
35	" " " "	" " "	"	213 N. 10'		
36	ZAHM REALTY CORP	1630 White St	8	213 Exc. N. 10'		
37	RANSLEY, EARL L + ALICE J.	787 Knig: Lawwood	4	214		
38	GREEN, WILLARD E + GEORGETTE P.	783 " "	"	214		
39	HOGER, GEORGE E JR. + MARY ELAINE	7829 " "	"	41		
40	MEKITT, GLENN W + MARY F	1603 2nd Ave. S. 9	9	41		
41	BENNETT, RONALD B + KIM	1605 " "	"	3		
42	PEPPER, MEYRLE W + SALLY L.	1607 " "	"	4		
43	AVALON SUMMER SPORTS CLUB	PO Box 285 Ft. Wayne IN				
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60	NOTICES MAILED OR-SERVED					
61	<u>July 10, 1970</u>					
62	By <u>Benji. R. Kling</u>					
63						
64						
65						

TOTAL





